

Local Form 3011-1

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

In re Roomstore, Inc.

Case No. 11-37790-KLP

Chapter 7

Debtor(s).

MOTION FOR PAYMENT OF UNCLAIMED FUNDS

James A Austin moves this Court for entry of an order directing the Clerk to remit to the movant the sum of \$ 1,132.85, which was deposited into the Treasury of the United States by Lynn Tavenner, Trustee, as unclaimed funds for James A Austin ("Claimant").

Movant certifies, under penalty of perjury, that:

1. The funds on deposit with the Treasury of the United States are owed to the Claimant, pursuant to proof of claim # 007_1674-1 filed with the Clerk on 12/11/2019.
2. The Claimant is: James A Austin.
3. The funds sought have not been paid to the Claimant or to any agent on the Claimant's behalf. The funds were not deliverable at the time of the original distribution because the address changed.
4. The claim has not been assigned to the Claimant. If the claim has been assigned, copies of all documents evidencing the assignment are attached to this motion:

5. The Claimant does not believe that any other party may be entitled to the funds. If the Claimant believes any other party may be entitled to the funds, include explanation
_____.
6. No other motion is pending for recovery of the same unclaimed funds.
7. ☒ Movant is the Claimant. Movant is not represented by an Attorney.
or
☐ Movant has the authority to collect the funds on behalf of the Claimant, as shown by the attached Power of Attorney or other proof that the Movant is an

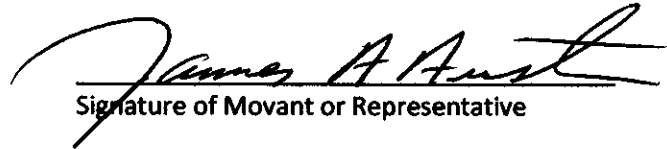
authorized representative of the Claimant. If the Claimant is the Debtor in this case, copies of any contractual agreements containing the amount of compensation to be received by the representative are also attached to this motion.

or

- ☐ If the Claimant is deceased, certified copies of all probate documents are attached to this motion as proof of entitlement.

Parties may object by filing a written objection within twenty-one days of the date of service of this motion. In the event no written objection is timely filed, the Court may enter an order granting the motion without further notice.

Dated: 7/31/2021


Signature of Movant or Representative

James A Austin

Printed Name of Movant or Representative

7300 W Broad St # 126

Henrico VA 23294

Address

(804) 502-9745

Telephone Number

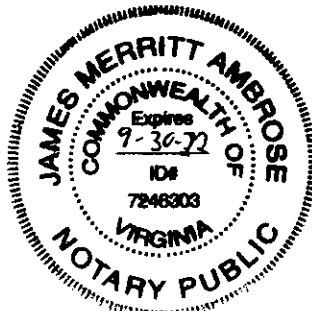
Notarization:

STATE OF Virginia

COUNTY OF Henrico

This Application for Unclaimed Funds, dated 5P 12-1-19, was subscribed and sworn to before me this 31 day of July, 20 21 by James A Austin, who signed above and is personally known to me (or provided to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument. Witness my hand and official seal.

(SEAL)



Notary Public 

My Commission Expires: 09-30-2022

United States Bankruptcy Court
District of

In re

Roomstore, Inc.

Debtor

)
)
)
)
) Case No. 11-37790-KLP
) Chapter 7

Last four digits of Social Security or Individual Tax-payer Identification n/a

NOTICE OF MOTION TO OBJECTION OF WITHDRAWAL OF UNCLAIMED FUNDS

James Austin has filed papers with the court to withdraw unclaimed funds.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant relief sought in motion to withdraw unclaimed funds, or if you want the court to consider your views on the motion to withdraw unclaimed funds, then on or before **9/7/2021**, you or your attorney must:

File with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at: Bankruptcy Court
701 E Broad St, Suite 4000
Richmond VA 23219

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

U.S. Attorney for the Eastern District of Virginia, 919 E Main St, Suite 1900, Richmond VA 23219

U.S. Trustee Region 4-R, 701 Broad St, Suite 4304, Richmond VA 23219

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date:

7/23/21

Signature:

Name: James Austin

Address 7300 W Broad St. # 126
Henrico VA 23294

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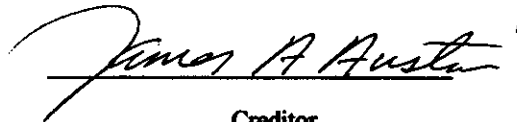
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CERTIFICATE OF SERVICE

I, the Creditor(s) in this case, certify that I served the both the attached motion and notice upon the following parties at the addresses listed, by mailing true copies of these documents by U.S. first class, postage prepaid, on the 7th day of AUGUST, 2021.

- 1 . U.S. Trustee Region 4-R
701 E Broad Street, Suite 4304
Richmond VA 23219
- 2 . U. S. Attorney for the Eastern
District of Virginia
919 E Main St., Suite 1900
Richmond VA 23219
- 3 . LYNN L TAVENNER
20 N 8TH STREET 2ND FLR
RICHMOND VA 23219
- 4 . TROY SAVENKO
951 E BYRD STREET
RICHMOND VA 23219

ROOMSTORE, INC
NO DELIVERABLE ADDRESS



Creditor